

IT IS SO ORDERED.

Dated: 11:32 AM September 08 2009

  
MARILYN SHEA-STONUM *ESP*  
U.S. Bankruptcy Judge

B09-01274

EAB\cac

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT  
EASTERN DIVISION - AKRON

IN RE:	)	CHAPTER 13
	)	
AMY LYNN FARKUS	)	CASE NO. 05-52431
	)	
Debtor	)	JUDGE MARILYN SHEA-STONUM
	)	
	)	ORDER FOR RELIEF FROM STAY
	)	
	)	PROPERTY ADDRESS: 1201 Hart St.,
	)	Akron, Ohio 44306

This matter came to be considered on the Conditional Order entered into by and between the parties and an Affidavit of Default submitted subsequent thereto and filed by DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR LONG BEACH MORTGAGE LOAN TRUST 2004-1, ASSET BACKED CERTIFICATES, SERIES 2004-1, its successors and assigns ("Movant").

The Court finds that pursuant to an Order previously granted in this Court, the post-petition payments were to be made each and every month outside of the Chapter 13 plan and if any post-petition payments were missed so that the delinquency equaled thirty (30) days or longer, the stay of proceedings now in effect could be removed by the filing of an affidavit. Based on this, it appears appropriate to grant the relief requested.

IT IS, THEREFORE, ORDERED:

1. The automatic stay imposed by § 362 of the Bankruptcy Code is terminated with respect to Movant, its successors and assigns and with respect to the real estate more fully set forth on Exhibit A attached hereto.

2. The Chapter 13 Trustee shall discontinue payments to Movant on its claim under the Chapter 13 Plan filed by the Debtor(s). Movant is directed to file a report of sale promptly following liquidation of the Collateral if any excess proceeds have been received and Movant is given leave to file an unsecured deficiency claim within 60 days after liquidation of the Collateral, if such claim exists.

# # #

SUBMITTED BY:

/s/ Edward A. Bailey  
REIMER, ARNOVITZ, CHERNEK &  
JEFFREY CO., L.P.A.  
BY: Edward A. Bailey #0068073  
P.O. Box 968  
Twinsburg, Ohio 44087  
Phone No. 330-425-4201  
Fax No. 330-425-2155  
ebailey@reimerlaw.com

## EXHIBIT "A"

Known as being 1201 Hart Street, Akron, OH 44306

Situated in the City of Akron, County of Summit and State of Ohio: And known and described as follows: Being part of Lots number ten (10) and eleven (11) of First Hart Allotment as surveyed by R. S. Paul and recorded in Plat Book 2, Page 9, Summit County Records of Plats, bounded and described as follows:

Beginning at a point in the northerly line of Hart Street, which point is forty (40) feet northwesterly from the southeasterly corner of said Lot No. 11 thence northeasterly and parallel to the northeasterly line of said Lot No. 11, a distance of 82 1/2 feet to a point; thence northwesterly and parallel to the northerly line of Hart Street a distance of forty (40) feet to a point thence southerly and parallel to the southeast line of said Lot No. 10 a distance of 82 1/2 feet the northerly line of Hart Street; thence southeasterly on the southeast line of said Lots Nos. 10 and 11 and northerly line of Hart Street a distance of forty (40) feet to the place of beginning.

Also known as 1201 Hart Street, Akron, Ohio

PM No. 68-16933 PPN No. 06-00881-07-007.000

RECORDED BY COUNTY CLERK FARKUS  
39328635 OH  
FIRST AMERICAN ELS  
ASSIGNMENT OF MORTGAGE  
RECORDED BY COUNTY CLERK FARKUS

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Pg: 18 of 18  
11/18/2008 12:40  
40.00  
John A. Deneff, Summit Fiscal Officer

AT

55585038  
Pg: 3 of 3  
11/18/2008 01:54P  
AS 40.00

LIST OF PARTIES TO BE SERVED

Served electronically via the Court's CM/ECF system to the following who are listed in the Court's Electronic Mail Notice list:

1. Office of the U.S. Trustee  
\* Served Electronically \*
2. Keith Rucinski, Trustee  
krucinski@chl3akron.com
3. Robert M. Whittington, Jr., Esq.  
elkwhitt@neo.rr.com  
Attorney for Debtor
4. Edward A. Bailey, Esq.  
bknotice@reimerlaw.com  
Attorney for Movant

Served by mailing the same by ordinary U.S. Mail, postage prepaid, to the persons listed below

5. Amy Lynn Farkus, Debtor  
1201 Hart St.  
Akron, OH 44306
6. Summit County Treasurer's Office  
Ohio Building - 175 S. Main Street  
Suite 320  
Akron, Ohio 44308  
Party In Interest
7. Evergreen  
611 W. Market St.  
Akron, OH 44303  
Party In Interest